

Department of Health and Human Services

**OFFICE OF
INSPECTOR GENERAL**

**BIRTH CERTIFICATE
FRAUD**



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EXECUTIVE SUMMARY

PURPOSE

To provide an update on the nature and extent of birth certificate fraud.

BACKGROUND

Legitimate birth certificates provide vital information about the person whose name appears on the certificate. Issuing birth certificates is the responsibility of State vital records registrars and numerous local issuing entities. While originally intended for the sole purpose of birth registration, birth certificates are now used extensively for employment purposes and to obtain benefits or other documents used for identification.

Over the last 25 years, a number of studies have addressed problems related to false identification and the misuse of birth certificates. These studies conclude that false identification is a major factor in crime, and that most, if not all, Federal fugitives and drug trafficking crimes are associated with false identification. They also conclude that stolen, counterfeit, and altered birth certificates are often used as “breeder documents” that allow the holder to obtain documents needed to create new identities. The Office of Inspector General has conducted three inspections focused specifically on birth certificate fraud that identified a number of vulnerabilities in birth certificate processes. Because so many Federal and State agencies rely on birth certificates to assist them in determining eligibility for services and benefits, it is important that these agencies have current information on the nature and extent of birth certificate fraud to assist them in the proper assignment and protection of benefits.

This inspection was initiated at the request of the Department of Health and Human Services to provide information which the Department could use in responding to responsibilities placed on it as a result of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

We used two mechanisms to gather information. We gathered general information regarding vital records policies and procedures from 53 primary vital records registrars using mail surveys. We also collected more in-depth information through personal interviews with State registrars, fraud investigators, and local and State vital records, Passport Services, Immigration and Naturalization Services, Social Security Administration, and public assistance staff in five States and New York City. We also met with the Center for Disease Control and Prevention (CDC), National Center for Health Statistics, staff who provided us with comments on the draft of this report.

FINDINGS

Fundamental, Irreconcilable Conflicts Surround Birth Certificate Purposes and Uses

A certified copy of a birth certificate is proof only that a birth occurred and was recorded. For that purpose, it may be desirable that the public be allowed easy access to them. However, the agencies and organizations that use birth certificates as proof of

identification for employment purposes, to obtain benefits or other documents (e.g., driver's licenses, Social Security cards, and passports), and to assist them in determining eligibility for public assistance and other benefits, may have concerns with how easily certified copies of birth certificates can be obtained. These conflicting perspectives are at the very heart of the birth certificate controversy.

Birth Certificates Continue to be Used as “Breeder Documents” and are Easy to Obtain

Virtually all Federal and State agencies agree that fraudulent birth certificates are used as “breeder documents” to obtain the genuine documents needed to create new identities, and that fraudulent birth certificates are easy to obtain. Factors which contribute to their use as “breeder documents” include the following:

- currently, *6,422 different entities issue birth certificates*. This large number of State, county, city, township, and other entities that issue birth certificates increases opportunities for fraud, theft, bribery, and other methods of illegally obtaining birth certificates;
- *thirteen States allow “open” access* to birth records, which allows virtually anyone to purchase copies of any birth certificates on file; and
- *birth certificates can be purchased without identification* from some vital records offices and issuing entities.

Birth Certificate Fraud is Hard to Detect

Many altered or counterfeit birth certificates and genuine birth certificates held by imposters may go undetected. The reasons why these fraudulent birth certificates are hard to detect include the following:

- *over 14,000 different versions of birth certificates are in circulation*;
- *nearly 4 million* United States births were registered in 1999;
- *security features* contained in the paper used to issue birth certificates, as well as formats and signatures, vary among State vital records offices and the many local entities issuing them;
- *technological advances* in the Internet, scanners, color printers, and copiers make it easier to obtain genuine birth certificates and create counterfeit ones;
- between 85 and 90 percent of the birth certificate fraud encountered by the Immigration and Naturalization Services and Passport Services staff is the result of *genuine birth certificates held by imposters* -- the most difficult fraud to detect; and
- Federal and State agency staff report receiving only *limited training* focused on the detection of fraudulent birth certificates.

State Practices Create Opportunities for Fraud

It was the consensus of those we interviewed that a number of State practices create opportunities for fraud. Those practices include the following:

- *delayed, amended, and midwife birth registrations* that are based on affidavits of personal knowledge, include no documentary evidence, and are not often marked or overlaid accordingly;
- *delays in matching death and birth records* can make the identities of many deceased persons easy to assume between the time the person dies and the time the death and birth records are matched;
- questionable *physical security* situations that create opportunities for fraud; and
- *limited oversight* of local issuing entities by State vital records offices.

Birth Certificate Fraud is Seldom Prosecuted

Virtually all of the Federal and State agency staff we talked with indicate birth certificate fraud is seldom prosecuted unless it can be linked to large dollar losses or other punishable crimes. Most staff also indicate that many prosecutors are reluctant, or refuse to take birth certificate fraud cases in which the only charge is attempting to obtain another individual's birth certificate, or counterfeiting or altering a birth certificate. At the same time, misconceptions exist surrounding the security and integrity of birth certificates.

CONCLUSIONS

Birth Certificates Alone do not Provide Conclusive or Reliable Proof of Identity

Many agencies and organizations request that individuals provide their birth certificates to receive a benefit or service, or to support the issuance of other documents often used for identity purposes (e.g., driver's license). However, agencies who rely on birth certificates as a means of establishing identity must understand the limitations of accepting a birth certificate as proof of age, citizenship, or identity. For example, genuine documents obtained with counterfeit birth certificates can be used to obtain genuine birth certificates. Thus, it is inherently illogical to require someone to prove their identity using potentially fraudulent identity documents spawned by false birth certificates in order to obtain a birth certificate.

Further, it would be Impractical to Redesign Birth Certificates to Make them Reliable Identification Documents in and of Themselves

Efforts to make the birth certificate into a reliable identity document are complicated by the more than 14,000 different legitimate versions in existence, and the more than 6,000 entities which issue them and the processes they use to do so. Efforts are also complicated by the ease with which birth certificates can legitimately be obtained and counterfeited, and the fact that the majority of fraud is now being committed by imposters

using genuine birth certificates. Also, any changes to the birth certificate itself will take essentially a lifetime to become effective.

Some Efforts to Redesign Birth Certificates Might Even be Undesirable

The primary purpose for which birth certificates were created -- to document and record births -- is served well by the large number of entities that issue them and the technology which makes them readily and quickly available. Because redesigning birth certificates could jeopardize their availability, to do so might be undesirable. Unfortunately, that availability contributes to fraud and the unreliability of birth certificates as identification documents.

Nevertheless, Since Birth Certificates can Play an Important Role in Establishing Identity, Their Integrity Should be Improved

When used in combination with other documents, birth certificates can add to the level of proof in establishing eligibility and identity. As noted previously, many agencies use them in this way. Therefore, it is important that the processes used to issue birth certificates be standardized and recent advances in technology utilized to ensure birth certificate integrity parallels that of other identification documents. It is also important that user agencies be vigilant in their detection of fraudulent documents and documents held by imposters. We have included consensus suggestions for improving the birth certificate process and the detection of fraud in the body of the report.

In Addition, Federal and State Program Administrators Should Assess the Proofs of Identity They Will Accept

Even if their security is improved, birth certificates may still not be the best proof of identity. For this reason, program administrators may not want to use birth certificates at all, or use them only with other documents, as noted above. Agencies need to specify documents and methods of proving identity (e.g., fingerprints, testimony of relatives) they will accept in determining eligibility for services. Given what we have learned, if program administrators continue to include birth certificates in the proofs of identity they will accept, they should also reconsider what steps they will take to detect fraudulent certificates and to secure valid ones.